

REMARKS**I. Status of the Claims:**

Claims 1-9 are currently pending.

II. Restriction/Election Requirement:

In the Office Communication dated June 15, 2007, the Examiner issued a restriction/election requirement requiring Applicants to elect one of the following species:

Species I	-	Figure 5
Species II	-	Figure 9
Species III	-	Figure 13
Species IV	-	Figure 20
Species V	-	Figure 24

In response, the Applicant provisionally elects to pursue prosecution of **Species II (Figure 9)**, which is believed to include at least **claims 1 through 4**. Upon the allowance of a generic claim, the Applicant respectfully requests consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 C.F.R. § 1.141. This election is made with traverse.

The Applicant respectfully submits that the Species II (Figure 9), Species III (Figure 13) and Species V (Figure 24) show that size and position of focus detection area are changed respectively. Thus, the Applicant believes that these Species are not independent or distinct and should be considered together.

Alternatively, the Applicant respectfully submits that: (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully

submitted that the restriction/election requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

As a further alternative, as noted above, the Species III (Figure 13) and Species V (Figure 24) show that size and position of focus detection area are changed respectively. As a consequence, it is respectfully submitted that undue diverse searching would not be required at least as to these species. Accordingly, Species II, III and V should be examined together.


AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5350.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5350.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: 7/13/07

By: 
James Hywa
Registration No. 42,680
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

Morgan & Finnegan, L.L.P.
3 World Financial Center
New York, NY 10281-2101